

Ovestrumon is useful in any and all of the symptoms which accompany the menopause. It is exceedingly valuable in the treatment of the nausea and vomiting of pregnancy. It has a distinct place in the treatment of the neuroses common with young women which are now known to be, in many cases, due to insufficient and altered ovarian hormones. Dosage. The dosage necessary will be apparent from the symptoms of the case, from one to three injections a week of 2 cc being usual", regarding its curative or therapeutic effects were false and fraudulent, since it contained no ingredients or combination of ingredients capable when used as directed, of producing the effects claimed.

The United Laboratories, Ltd., having appeared and subsequently having withdrawn its appearance, a default decree of condemnation was entered on May 30, 1937, and the product was ordered destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

27263. Adulteration and misbranding of Vegetrate preparations. U. S. v. Health Foundation of California, E. Billy Hamburg, and Joseph A. Sabol. Pleas of nolo contendere. Fines, \$225. (F. & D. no. 37044. Sample nos. 35967-B, 38431-B to 38435-B, incl., 38437-B, 40062-B, 40065-B, 40066-B, 40067-B.)

The labeling of these products bore false and fraudulent curative and therapeutic claims. One of the products was represented to be made entirely from fruits and vegetables; but contained rhubarb root and senna leaves, which are cathartic drugs and not fruits nor edible vegetables. A portion also contained calcium carbonate.

On July 12, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Health Foundation of California, a corporation, Los Angeles, Calif., and E. Billy Hamburg and Joseph A. Sabol, officers of the said corporation at the time of the shipments charged in the information, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, between the dates of May 29 and October 25, 1935, from the State of California into the District of Columbia of quantities of Vegetrate preparations that were misbranded and one of which was also adulterated. The products were variously designated: "Vegetrate No. B. F. 1"; "Formula BF-1"; "Formula H. F. C. No. A-45. The Arthritic"; "Formula No. (H. F. C. D-44) * * * Diabetic"; "Formula H. F. C. No. A-417. Hay Fever Asthmatic"; "Formula No. (H. F. C. A-417)"; "Formula No. (H. F. C. H-410) * * * Hypertension." They were labeled: "Health Foundation of California, Los Angeles, California."

Analyses of samples of the product labeled "B. F. 1" showed that it consisted essentially of vegetable substances including rice bran, cinnamon, cranberry, kelp, and leafy vegetables. Both samples of the B. F. 1 contained senna leaves and rhubarb; those in tablet form also contained calcium carbonate. The remaining products consisted of leaf, stem, and root material.

The B. F. 1 was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since it was represented to be made entirely of fruits and vegetables; whereas it was made in part of rhubarb root and senna leaves, which are not fruits nor edible vegetables, and one lot was made in part of calcium carbonate, which is not a fruit nor a vegetable.

It was alleged to be misbranded in that the statements on the cartons, "Vegetrate The Vegetable Concentrate Corrective * * * Made entirely from concentrated fresh raw vegetables and fruits", with respect to both lots, and the statements in the circular accompanying one lot, "Vegetrate * * * The producers of Vegetrate make no secret about its composition * * * fruits and vegetables * * * it was necessary to devise some means of furnishing the minerals and vitamins as contained in fruits and vegetables * * * Vegetrate is the result of such a quest. It is made of the essential fruits and vegetables * * * An ounce of Vegetrate contains the value of from fifty to one hundred times that quantity of raw fruits and vegetables * * * The Vegetable Concentrate Corrective", were false and misleading since the article contained rhubarb root and senna leaves, which are cathartic drugs and not fruits nor edible vegetables; a portion contained calcium carbonate, which is not a fruit nor a vegetable, and an ounce of the article did not have the value of the minerals and vitamins contained in 50 to 100 ounces of raw fruits and vegetables. All lots were alleged to be misbranded in that certain statements,

designs, and devices regarding their curative and therapeutic effects, were false and fraudulent in the following respects: One lot of the B. F. 1 was falsely and fraudulently represented to be effective as a treatment, remedy, and cure for hyperacidity and as an aid for mineral alkalization; effective to neutralize the acids found in most deficiency diseases; and to help to restore normal equilibrium to diseased functions; effective as a revitalizer, builder, and corrective; effective as a health foundation and as a source of vital elements; effective to maintain good health, natural balance, and physical well being and to overcome the hyperacidity found in refined diets; effective as a remedy for so-called malnutritional diseases and diseases from malnutrition; effective to get rid of toxic poisons and waste matter, to insure freedom from infection, to overcome the effects of acid-producing foods, to counterbalance the painful results of the malnutritional diseases, and to furnish the minerals and vitamins necessary for the alkaline balance of the blood; effective as a treatment for diseases caused by faulty diet; effective to relieve acid condition; and effective as an anti-acid. One lot of the B. F. 1 was falsely and fraudulently represented to be effective as a treatment, remedy, and cure for hyperacidity; effective to assist in the neutralization of the acids found in most deficiency conditions and to help restore equilibrium to diseased function; effective as an aid for mineral alkalization; and effective as a revitalizer and as a health foundation. The No. A-45 was falsely and fraudulently represented to be effective for the arthritic; effective as a treatment, remedy, and cure for ailments due to malnutrition; and effective as a health foundation. The No. D-44 was falsely and fraudulently represented to be effective as an aid in the treatment of diabetes mellitus; effective as a treatment, remedy, and cure for ailments due to malnutrition; effective as a revitalizer and as a health foundation. The No. A-417 was falsely and fraudulently represented to be effective as a treatment, remedy, and cure for hay fever and asthmatic conditions, and for ailments due to malnutrition; and effective as a health foundation. The No. H-410 was falsely and fraudulently represented to be effective as a treatment, remedy, and cure for ailments due to malnutrition; effective to relieve nervous tension and to reduce hypertension; and effective as a revitalizer and as a health foundation.

On April 26, 1937, pleas of nolo contendere were entered, and the court imposed fines of \$75 against each of the three defendants.

H. A. WALLACE, *Secretary of Agriculture.*

27264. Misbranding of Kopp's. U. S. v. 292 Bottles and 96 Bottles of Kopp's (and another seizure action). Default decrees of condemnation and destruction. (F. & D. nos. 37148, 37561. Sample nos. 55862-B, 57008-B.)

The bottle labels and a circular accompanying this product contained false and fraudulent curative and therapeutic claims, and false and misleading representations which were indicative that the preparation was a safe and appropriate remedy for infants and young children; whereas it was not, since infants and young children are susceptible to poisoning from morphine, an ingredient of the article.

On February 3 and April 11, 1936, the United States attorney for the Eastern District of Michigan, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 388 bottles and 575 packages of various sizes of Kopp's at Detroit, Mich., alleging that it had been shipped in interstate commerce on or about December 28 and 30, 1935, and March 7, 1936, by C. Robert Kopp, Inc., from Hellam and York, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it contained morphine sulphate (one-eighth grain per fluid ounce), flavoring oils including anise oil, alcohol, sugar, and water.

It was alleged to be misbranded in that the following directions on the labeling detailing how it should be given to infants and young children, together with the picture in a circular accompanying certain sizes, of a baby, entitled "Kopp's Remedies for Babies and Children", were false and misleading, "Directions—Dose for a child 1 week old, 4 drops; 2 weeks, 6 drops; 1 month, 10 to 12 drops; 2 months, 15 to 18 drops; 3 to 4 months, $\frac{1}{2}$ teaspoonful; 4 to 6 months, $\frac{1}{2}$ teaspoonful; 6 to 9 months, $\frac{2}{3}$ teaspoonful; 12 months and over, 1 teaspoonful. Repeat in 3 or 4 hours if necessary"; (circular in German and other foreign languages accompanying certain sizes) "Directions—Dose for a child 1 week old, 6 drops; 2 weeks old, 8 drops; 1 month, 15 to 18 drops; 2 months, 20 to 25 drops; 3 to 4 months, $\frac{1}{2}$ [on some sizes " $\frac{1}{3}$ "] teaspoonful; 4 to 6 months, $\frac{2}{3}$